

HOUSE BILL No. 1364

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-15-11; IC 34-30-2-98.6.

Synopsis: Funeral directors. Requires a funeral director or funeral director intern to inquire of an immediate family member as to whether a decedent had authorized an anatomical gift on the decedent's driver's license or identification card, and if so, to inform the member about procedures available for making a gift of all or any part of the remains of the decedent. Provides that a funeral director or funeral director intern who fails to make an inquiry or inform an immediate family member is not subject to civil liability, criminal liability, or administrative sanctions.

Effective: July 1, 2015.

Cox

January 14, 2015, read first time and referred to Committee on Public Health.



First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-15-11 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]:

4 **Chapter 11. Inquiries Concerning Anatomical Gifts**

5 **Sec. 1. As used in this chapter, "gift" has the meaning set forth**
6 **in IC 29-2-16.1-13(a)(2).**

7 **Sec. 2. Upon the first contact by an immediate family member**
8 **with a funeral home after the death of an individual, the funeral**
9 **director or funeral director intern shall inquire of any member of**
10 **the immediate family of a decedent as to whether the decedent's**
11 **driver's license or identification card indicated that the decedent**
12 **had authorized an anatomical gift, as set forth in IC 29-2-16.1-4.**

13 **Sec. 3. If a funeral director or funeral director intern is**
14 **informed by an immediate family member that the decedent had**
15 **authorized an anatomical gift as described in section 2 of this**



1 chapter, the funeral director or funeral director intern shall inform
2 the family member about the procedures available for making an
3 anatomical gift. The funeral director or funeral director intern
4 shall note in the records of the funeral home that the family
5 member was informed about the procedures available for making
6 an anatomical gift.

7 **Sec. 4. A funeral director or a funeral director intern who fails**
8 **to discharge the duties imposed by this chapter is not subject to**
9 **civil liability, criminal liability, or administrative sanctions.**

10 SECTION 2. IC 34-30-2-98.6 IS ADDED TO THE INDIANA
11 CODE AS A NEW SECTION TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2015]: **Sec. 98.6. IC 25-15-11-4 (Concerning**
13 **anatomical gift inquiries by funeral directors and funeral director**
14 **interns).**

